

**9264. Adulteration of tomato catsup. U. S. \* \* \* v. 82 Cases \* \* \***  
**of Tomato Catsup. Default decree of condemnation, forfeiture,**  
**and destruction.** (F. & D. No. 12898. I. S. Nos. 24456-r, 9808-r. S. No.  
C-1958.)

On July 29, 1920, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 82 cases, more or less, of tomato catsup, consigned by the Owensboro Conserve Co., Owensboro, Ky., on or about November 19, 1919, remaining unsold in the original packages at Columbus, Ohio, alleging that the article had been shipped from Owensboro, Ky., and transported from the State of Kentucky into the State of Ohio, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Contains No Benzoate Of Soda Or Artificial Color. Ritter Pure Whole Tomato Catsup Made by P. J. Ritter Company, Phila., Pa. Contains 12 Oz. Net Avd. Made From Whole Ripe Tomatoes, Spices, Vinegar, Onions, Salt and Sugar."

Adulteration of the article was alleged in the libel for the reason that it consisted wholly or in part of a filthy, decomposed, and putrid vegetable substance.

On February 4, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9265. Adulteration of turpentine. U. S. \* \* \* v. The Dill Co., a Corporation. Plea of guilty. Fine, \$50.** (F. & D. No. 14050. I. S. Nos. 17406-r, 17465-r.)

On April 11, 1921, the United States attorney for the Eastern District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against The Dill Co., a corporation, Norristown, Pa., alleging shipment by said company, in violation of the Food and Drugs Act, on or about August 1 and 26, 1919, from the State of Pennsylvania into the States of West Virginia and Virginia, respectively, of quantities of turpentine which was adulterated. The article was labeled in part, "\* \* \* Dill's TDCo Brand Spirits of Turpentine \* \* \* Distributed By The Dill Company, Norristown, Pa."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that on treating with fuming sulphuric acid there remained unattacked 5.2 per cent and 4.5 per cent, respectively, of the original quantity of oil taken, instead of 1 per cent, as specified by the United States Pharmacopœia. This residue was colorless, limpid, and had a refractive index of 1.4480 and 1.4516, respectively. On treating portions of the samples with hydrochloric acid dark-brown colors developed immediately. These results indicated the presence of approximately 5 per cent of mineral oil.

Adulteration of the article was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by tests laid down in said Pharmacopœia, official at the time of the investigation, in that said Pharmacopœia prescribed that spirits of turpentine should be the volatile oil distilled with water from the concrete oleoresin obtained from *Pinus palustris* Miller or from other species of *Pinus*, whereas the article was not volatile oil distilled with water from the concrete oleoresin obtained from *Pinus palustris* Miller or from other species of *Pinus*, but was a product composed in part of mineral oil; and the said Pharmacopœia provided that

spirits of turpentine when shaken vigorously with an equal volume of hydrochloric acid in a test tube and allowed to stand for a few minutes should not produce a brownish or greenish color, whereas said article when shaken vigorously with an equal volume of hydrochloric acid in a test tube and allowed to stand for a few minutes produced a brownish color; and the standard of the strength, quality, and purity of the said article was not declared on the containers thereof.

On April 11, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$50.

E. D. BALL, *Acting Secretary of Agriculture.*

**9236. Adulteration of tomato catsup. U. S. \* \* \* v. 948 Cases \* \* \* of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14198. I. S. No. 1712-t. S. No. C-2695.)**

On January 18, 1921, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 948 cases, more or less, consisting of 800 cases, more or less, containing eight-ounce bottles and 148 cases, more or less, containing sixteen-ounce bottles, of tomato catsup, at Houston, Tex., alleging that the article had been shipped by the Serv-Us Pure Food Co., Mound City, Ill. on or about October 15, 1920, and transported from the State of Illinois into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Serv-Us Brand Tomato Catsup \* \* \* Serv-Us Grocery Products Corporation, Distributors, New York, Chicago, U. S. A. We guarantee the catsup to be absolutely pure and free from artificial coloring."

It was alleged in substance in the libel that the article was adulterated in violation of section 7, paragraph 6, under "Food," of the Food and Drugs Act, in that said article was filthy, decomposed, and putrid.

On March 1, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**9237. Adulteration of Creole Dinner. U. S. \* \* \* v. 20 Cases \* \* \* of Creole Dinner. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14239. I. S. No. 12755-t. S. No. C-2736.)**

On January 24, 1921, the United States attorney for the Southern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 cases, more or less, of Creole Dinner, at Houston, Tex., alleging that the article had been shipped by the McIlhenny Co., New Iberia, La., on or about November 8, 1920, and transported from the State of Louisiana into the State of Texas, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part, "Creole Dinner Net Contents 10 Ounces. \* \* \* Packed By McIlhenny Co., Avery Island, La."

It was alleged in substance in the libel that the article was adulterated in violation of section 7, paragraph 6, under "Food," of the Food and Drugs Act, in that it was filthy, decomposed, and putrid.

On March 1, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*